

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA**

EDWIN D. DENNIS, JR.,)
Plaintiff,)
v.) Civil Action No. 3:05-CV-919-T
TOMMY THREAT, et.al)
Defendant.)

DEFENDANTS' RESPONSE TO THE COURT'S SHOW CAUSE ORDER

COME NOW Tommy Threat, Corey Welch, Timothy Parquett, and Debbie Burke, Defendants in the above-styled cause, and show cause to the Court why they failed to file an answer and written report in compliance with the order entered on October 5, 2005, by stating as follows:

1. The Plaintiff in this case currently has another case pending in this Court against Tommy Threat and other jail officials employed with the Lee County Sheriff's Department. See Case No. 3:05-cv-00653-WHA-SRW.
2. The jail officials inadvertently believed that the filings in the instant case were part of the other case that the Plaintiff had filed.
3. Therefore, Defense Counsel was not apprised of the need to file a Special Report in the instant case until after the deadline had passed. In fact, counsel for Defendants first became aware of the existence of this lawsuit on December 12, 2005.
4. The Defendants are filing their Special Report and Answer, together with affidavits and evidentiary materials contemporaneously with this Response.

Respectfully submitted this 16th day of December, 2005.

s/Amanda Kay Morgan
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CERTIFICATE OF SERVICE

I hereby certify that on this the 16th day of December, 2005, I have electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, and that I have mailed a true and correct copy of the foregoing by United States Mail, postage prepaid, to the following non-CM/ECF participant:

Edwin Dee Dennis, Jr.
AIS# 210963
Lee County Detention Center
PO Box 2407
Opelika, AL 36801

s/Amanda Kay Morgan
OF COUNSEL